

AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE TEXT OF THE INTRODUCTION, CONSERVATION, FUTURE LAND USE, IMPLEMENTATION AND TRANSPORTATION ELEMENTS OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 2008-44 which adopted the Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

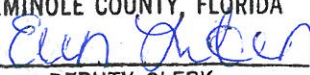
WHEREAS, the Board of County Commissioners has followed the procedures set forth in Section 163.3184, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to Text Amendments to the Plan; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a public hearing, with all required public notice on June 4, 2014, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendments set forth herein; and

WHEREAS, the Board of County Commissioners held public hearings on June 24, August 12, 2014, and December 9, 2014, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, required State reviewing agencies, other public agencies, and other jurisdictions prior to final action on the Plan amendments set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is consistent and in compliance with the provisions of State

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY 
DEPUTY CLERK

law, including, but not limited to, Sections 163.3177, and 163.3184, Florida Statutes, and with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Recitals/Legislative findings:

The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.

Section 2. Amendments To County Comprehensive Plan:

The Introduction, Conservation, Future Land Use, Implementation, and Transportation Elements, as set forth in Ordinance Number 2008-44, as previously amended, are hereby further amended as set forth in Exhibit A (attached hereto and incorporated herein by this reference) as described in the following table:

Ord Exhibit	Amendment Number	Amended Element	LPA Hearing Date	Board Hearing Dates
A	2014.TXT.02	Introduction Conservation Future Land Use Implementation Transportation	06/04/2014	06/24/2014 08/12/2014 12/09/2014

Section 3. Severability:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. Exclusion from County Code/Codification:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code

Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan to reflect adopted amendments to the Plan.

Section 5. Effective Date:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the State Land Planning Agency in accordance with Section 125.66, and Section 163.3184, Florida Statutes.

(b) This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the Plan amendments set forth herein, if the amendment is not challenged in a timely manner, shall be no earlier than thirty-one (31) days after the State Land Planning Agency notifies the County that the Plan amendment package is complete. If challenged within the appropriate time period, the amendments shall become effective on the date the State Land Planning Agency or the State Administration Commission enters a final order determining the adopted amendments to be in compliance. No development orders, development permits or land uses dependent upon the amendments may be issued or commence before it has become effective.

ENACTED this 9th day of December, 2014

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____

BREND A CAREY, CHAIRMAN

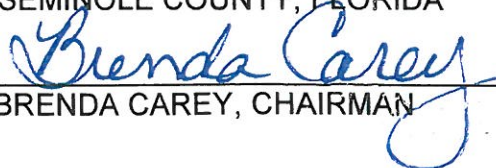


EXHIBIT A

**Introduction, Conservation, Future Land Use
Implementation and Transportation Elements**

Text Amendments 2014.TXT.02



GREEN ROOFS

Ecological roof gardens that improve a building's thermal insulation, absorb less heat, produce oxygen, absorb carbon dioxide, filter air pollution and absorb and/or manage a portion of rainwater falling onto it, thus slowing stormwater runoff.

GROUP HOME FACILITY

The term "group home facility" shall be defined as set forth at Section 393.063, Florida Statutes, or its successor provisions.

HEADWAY

Time interval between vehicles moving in the same direction on a particular route.

HOME OCCUPATION

Any occupation or activity carried on by a member of the family residing on the premises, provided no article is sold or offered for sale, except such as may be produced by members of the immediate family residing on the premises, and no sign is used other than a name plate not more than one (1) square foot in area, attached to, and not projecting from, the building or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling. Home occupation shall include the use of premises by a physician, surgeon, dentist, lawyer, clergyman, or other professional persons for consultation or emergency treatment, but not for the general practice of his profession. Any home occupation that creates objectionable noise, fumes, odor, dust, or electrical interference shall be prohibited. Floor area utilized for home occupations shall not exceed twenty-five (25) percent of the total floor area of the dwelling structure.

INTENSITY

An objective measurement of the extent to which land may be developed for nonresidential purposes. (An example is 'Floor Area Ratio', defined above.)

JOINT PLANNING AGREEMENT

An interlocal agreement enabled by Chapter 163.3171 and adopted through appropriate official action that provides for joint policies and programs on annexation, future land use designations, provision of services and conflict resolution.

LAND DEVELOPMENT CODE

The Land Development Code of Seminole County is a set of ordinances enacted by the Board of County Commissioners to regulate the development of private property in unincorporated Seminole County in accordance with the zoning districts within the Code, including such aspects of development as allowable uses, required yards, maximum building heights, parking and signage. The Land Development Code implements the policies of the Seminole County Comprehensive Plan.

LAND USE DESIGNATION

Classification of land use that explains the allowed range of densities (numbers of housing units per acre or other similar measure) and/or intensities (number of square feet of nonresidential building or similar measure), general types of uses allowed, and zoning district



NATURAL CREEK, STREAM OR RIVER

A natural stream of water flowing in a channel that is not manmade, but may be maintained to reduce flood hazards and insure stormwater conveyance.

NATURAL LAKE

A naturally occurring, non-manmade body of water (e.g., not a man-made retention pond) with at least two acres of open water.

NATURAL WATERBODY

A naturally occurring, non-manmade waterbody, including a natural lake, a natural creek, stream or river.

NEIGHBORHOOD COMMERCIAL CENTER

The neighborhood commercial center is the smallest of three types of commercial centers (neighborhood, community and regional) and is intended to serve the daily retail and service needs of the immediate residential area. Retail space needed to serve a neighborhood area generally ranges from 2,500 square feet to 30,000 square feet, but should not exceed 75,000 square feet of gross leasable area. Excluded uses are those that serve the larger community market such as merchandise stores, department stores, and specialty retail.

NEIGHBORHOOD PARK

The Neighborhood Park is a "walk-to" park generally located along streets where people can walk or bicycle without encountering heavy traffic. Neighborhood Parks may be provided through the development review process, direct acquisition and joint use through schools or the municipal jurisdiction.

NET BUILDABLE ACRES

Net Buildable Acres is defined as:

1. Within the Urban Service Area of Seminole County - the total number of acres within the boundary of a development excluding ~~areas devoted to road rights of way, transmission power line easements~~ natural lakes and wetlands or floodprone areas.
2. Within the East Rural Area as identified by Exhibit FLU: Special Area Boundaries - the total number of acres within the boundary of a development excluding areas devoted to road rights of way, transmission power line easement, natural lakes and wetlands or floodprone areas.

For purposes of this definition, a development is defined as:

1. For properties with PD (Planned Development) zoning – all property included within the legal description of the approved PD zoning ordinance and/or Development Order;
or
2. For properties in all zoning districts other than PD (Planned Development) – all property included within the final subdivision plat or site plan.

Developments approved before December 31, 2014, in which the Net Buildable Acres were calculated based on a prior definition of such term, may not subsequently apply the above definition of Net Buildable Acres if one or more residential lots or structures were conveyed, with the intention of owner occupation, before December 31, 2014.

NET RESIDENTIAL DENSITY

The number of dwelling units per net buildable acre.

NOISE CONTOUR

The line encompassing an area exposed to the same noise level as measured by average day-night noise level (DNL). The 65 DNL noise contour, for example, encompasses the airport and surrounding area exposed a noise level of 65 DNL or higher. Noise contours for both existing and future airport conditions are depicted on the Orlando Sanford International Airport Master Plan.

OBJECTIVE

A specific, measurable, intermediate end that is achievable and marks progress toward a goal. (Source: Section 163.3164, Florida Statutes)

OPERATING CONDITIONS

Means the situation under which a road is performing. Operating conditions are determined by the traffic, roadway, and signalization characteristics of a road; and can be described by such factors as speed and travel time, freedom to maneuver, traffic interruption, comfort and convenience, and safety.

ORDINARY HIGH WATER MARK

Generally, that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area, as determined by the applicable governing authority .

OVERRIDING PUBLIC INTEREST

A situation where an action is taken by Government after a finding that the public's health, safety and welfare clearly overrides the goals, objectives, policies, or provisions of the Comprehensive Plan.

PARCEL OF LAND

Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used, or developed as a unit, or which has been used or developed as a unit.

PASTORAL OPEN SPACE

~~Pastoral open spaces are areas identified and maintained for present. Resource based and passive recreation which are compatible with the areas natural resources may be present. Examples of pastoral open space areas may include federal, State, or County parks and forests or other areas established for resource preservation.~~



OBJECTIVE CON 2 SURFACE WATER PROTECTION

The County shall continually evaluate its ongoing surface water quality program to protect and, where necessary and feasible, enhance the quality of surface waters.

Policy CON 2.1 Water Quality Assessment

The County shall, through its ongoing water quality monitoring program, identify areas of need for more intense sampling and shall partner with the appropriate agencies to accomplish these investigations. The County shall, with each Evaluation and Appraisal Report, evaluate the need for more intense sampling to address the continuous nature of surface water quality programs and processes.

Policy CON 2.2 Water Quality Improvement

The County shall continue to implement, as part of the Federal and State mandated Total Maximum Daily Load policies, a program to identify and improve surface water quality associated with stormwater runoff within receiving waters, which are below established standards.

Policy CON 2.3 Best Management Practices

The County shall evaluate every five years, after coordination with the Agricultural Extension Agency, Natural Resources Conservation Service and other appropriate agencies, its Water Conservation and Sensitive Lands Plan and Best Management Practices (BMPs) to minimize agricultural, horticultural and silvicultural impacts to both surface water quantity and quality, wetland and floodplain areas. This evaluation shall include a review and incorporation of any applicable new BMP's established by the Division of Forestry, Florida Department of Environmental Protection, St. Johns River Water Management District, Department of Agriculture and Consumer Services, and other agencies.

In addition to this Plan, all activities permitted within designated wetland and floodprone areas, including agriculture and silviculture shall, at a minimum, comply with the County's existing Wetland, Floodprone and Arbor Ordinances to ensure the protection and function of these resource areas.

Policy CON 2.4 Water Body Building Setback

The County shall continue to require that building setbacks for new primary buildings development be placed at least 50 feet from the ordinary high water mark of natural water bodies.

Policy CON 2.5 Wekiva River

- A The County shall continue to manage and regulate development along the Wekiva River to ensure its continued designation as an Outstanding Florida Water Body and Wild and Scenic River, and shall continue to ensure that all development maintains consistency with the Wekiva River Protection Act and Wekiva Parkway and Protection Act (see Future Land Use Element for other policies relating to the Wekiva River).
- B The County shall enforce all clearing and building setbacks or protection/buffer zones and areas along the Wekiva River as imposed by rules of the St. Johns River Water Management District, any State



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- B Continuing to allow minimum parcel size for manufactured housing developments to promote affordable housing; and
- C Continue to enforce Land Development Code provisions for locating manufactured housing/mobile homes, including standards for access, compatibility with surrounding land uses, construction standards, impact on infrastructure, and appropriate length of use.

Policy FLU 10.4 Travel Trailer Parks and Campsites

The County shall continue to allow existing sites identified as of September 11, 1991, to continue to be "grandfathered" uses under the provisions of the RM-3 zoning classification within the Suburban Estates land use designation. The RM-3 Travel Trailer Parks and Campsites zoning district shall continue to exist as a grandfathered zoning district, in view of property rights accorded to such sites that were legally approved under prior County land development regulations. However, existing sites cannot expand or increase their legal nonconformity in any way, and new RM-3 sites cannot be created. However, if such sites are undeveloped or the uses are abandoned (including as a result of natural disasters or similar occurrences or events) for a period of 180 days then such sites shall be assigned a new land use designation and rezoned to be consistent with that land use designation.

Policy FLU 10.5 Special Land Use Considerations

The County's Development Services Department shall continue to coordinate with the Seminole County Community Services Department ~~Disability Advisory Council~~ to identify and recommend land use and Land Development Code amendments to help meet the special needs of physically challenged residents of all ages, as well as the transportation and housing related needs of lower income residents in the County.

Through this coordination effort, the County shall identify properties within lower income neighborhoods eligible for Community Development Block Grant funding (Low/Moderate Target Areas) where lots or parcels of record, platted or unplatted, have been reduced in size by the dedication or conveyance of land for public road rights-of-way. The County shall consider such lots or parcels of record as if there had been no reduction in size for purposes of minimum zoning requirements relating to lot size and lot width, provided that the reduction shall not exceed 15% of the lot area prior to the dedication or conveyance of right-of-way or the remainder of the lot area shall not be less than 4,000 square feet.

In addition, these identified lots or parcels of record, platted or unplatted, in Low/Moderate Target Areas shall require no application for setback variances to accommodate said renovation or replacement of dwellings. However, in no case shall the front yard setback be less than 20 feet, side yard setback be less than 5 feet, and the rear yard setback be less than 10 feet, and a minimum of ten feet must be maintained between all structures on adjoining lots.

Policy FLU 10.6 Optional Nonresidential Intensity Bonuses Associated with Workforce Housing



EVALUATION AND APPRAISAL ~~REPORTS~~

Local governments in Florida must complete an Evaluation and Appraisal ~~Reports (EAR)~~ of its local comprehensive plan every seven years, as required by ~~Part II~~, Chapter 163, Part II, Florida Statutes. Requirements for the Evaluation and Appraisal process were revised with the enactment of Chapter 2011-139, Laws of Florida (House Bill 7207) to include:

~~The EAR functions as an audit of the successes and shortcomings of the Plan~~

- (1) At least once every seven years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in State Law since the last update of the comprehensive plan, and notify the State Land Planning Agency by letter of the results of that evaluation.
- (2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government shall prepare and transmit the plan amendment or amendments to the state for review within one year.
- (3) Local governments are encouraged to evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions.
- (4) If the local government fails to submit its letter or to update its plan when it has notified the State Land Planning Agency of a need for updating, it may not amend its comprehensive plan until it complies with these requirements.

Seminole County is required to provide a letter notifying the State of the need for amendments to comply with changes in State Law on or before December 1, 2015.

~~and provides opportunities to identify needed Plan amendments. The 2006 EAR includes an evaluation and assessment of the County's Comprehensive Plan in the following major areas:~~

- ~~A—Evaluation of Major Issues identified during the EAR;~~
- ~~B—Countywide assessment and overview regarding population data and trends; changes in land area, summaries of vacant and developable land; and relevant trends that reveal the County's existing conditions and future directions;~~
- ~~C—Financial feasibility of implementing the Plan;~~
- ~~D—Location of development in relation to the location of development anticipated in the Plan;~~
- ~~E—Relevant changes in Growth Management Laws and Administrative Codes since the last EAR;~~
- ~~F—An assessment of the achievements of Plan Objectives, as related to major issues;~~
- ~~G—Brief assessment of the successes and shortcomings of the Objectives of each Plan element;~~
- ~~H—Special topics as may be required from time to time;~~
- ~~I—Identification of any actions or corrective measures needed for the Plan, including whether Plan amendments are anticipated to address major issues identified in the EAR;~~
- ~~J—Summary of the public participation program and activities undertaken in preparing the EAR;~~
- ~~K—Coordination of the Comprehensive Plan with existing public schools;~~
- ~~L—The extent to which Seminole County has been successful in identifying alternative water supply projects and traditional water supply projects;~~
- ~~M—The extent to which the Concurrency Management System has achieved its purpose; and~~



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~~N—Recommended changes to update the Plan, and possibly the Land Development Code. Preparation and adoption of the EAR must follow similar procedures as for adoption of the Comprehensive Plan.~~

ANNUAL CAPITAL IMPROVEMENTS ELEMENT UPDATES

The Capital Improvements Element is an important implementation tool for a comprehensive plan, because it identifies the need for public facilities to support the desired Future Land Use pattern of a community.

Level of service standards for facilities remains a requirement for the Capital Improvements Element, as they were prior to enactment of Chapter 2011-139, Laws of Florida. The changes to State Law contained in Chapter 2011-139, Laws of Florida, allow local governments to rescind concurrency requirements for parks and recreation, transportation, and public schools. Local governments that elect to rescind those concurrency requirements are still responsible for capital improvements for multimodal transportation facilities and parks and recreation. Due to that responsibility, nonconcurrency level of service for transportation and parks and recreation are still required in the Capital Improvements Element to guide capital planning. Also included are the cost of facilities, revenue sources, and a schedule for funding and construction of improvements for a five year period. Projects necessary to ensure that adopted levels of service are achieved and maintained for a five-year period are to be identified as funded or unfunded, and unfunded projects given a level of priority for funding. An annual review and update of this Element and the Schedule of Capital Improvements is coordinated with the County's annual budget process, as required by Chapter 163, Florida Statutes.

COMPREHENSIVE PLAN UPDATES AND AMENDMENT ADOPTION PROCESSES

Major updates to the County's Comprehensive Plan are needed from time to time to implement overall goals, objectives, policies and community visions. Updates may result from recommendations or findings of contained in an the Evaluation and Appraisal Report. The County may also ~~adopt~~ administratively initiated amendments (Small and Large Future Land Use Map Amendments or Text Amendments) to the Plan, most often associated with changes in state law/legislation or changes in County needs, conditions, economic development efforts, redevelopment and growth trends.

Future Land Use Map amendments (with and without associated text amendments) may also be adopted in response to applications submitted by property owners. All applicants requesting Future Land Use Map amendments must submit data and analysis demonstrating that the proposed amendment is consistent with the Goals, Objectives and Policies of the Seminole County Comprehensive Plan and will not create an internal inconsistency within the Plan that violates State Law. The Minimum documentation standards that must be provided met by an applicant submitting a proposed amendment to the Future Land Use Map, include the following:

- A. Data and analysis verifying that the proposed land use change will not require a change in the adopted level of service for potable water, sanitary sewer service or drainage for either Seminole County or another provider that serves the site; that projects contained within the capital budget of a non-Seminole County service provider, or the adopted Capital Improvements Element of the Seminole County Comprehensive Plan, will ensure that the level of service will not be reduced by the proposed amendment and that service could be available upon demand.



- B. Data and analysis verifying that the proposed land use change will not require a change in the adopted level of service for solid waste, or that projects contained within the adopted Capital Improvements Element of the Seminole County Comprehensive Plan will ensure that the Level of Service will not be reduced by the proposed amendment and that service could be available upon demand.
- C. Data and analysis verifying that the proposed land use change is supportive of the County's Multimodal Mobility Strategy.
- D. For amendments proposed within the Environmentally Sensitive Lands Overlay (ESLO), the Wekiva River Protection Area, the Wekiva Study Area, the Econlockhatchee River Protection Area ~~or~~ and the East Rural Area, documentation of how the amendment supports and is consistent with the Goals, Objectives and Policies of these areas.

Large scale amendments (regular amendments) are defined by state law as all text amendments that are not directly connected to a map amendment, and Future Land Use Map amendments affecting more than 10 acres of land, ~~or increasing residential densities to greater than 10 units per acre.~~ Small scale amendments are generally those Future Land Use Map amendments that affect 10 acres or fewer and, and, if any text change is proposed, in compliance with state statute, the change must relate directly to, and be adopted simultaneously with, the map amendment. Such a text change cannot change the goals, policies and objectives of the comprehensive plan, even if such change may be necessary for the adoption of the small scale amendment. ~~may be accompanied by necessary text changes.~~ However, a local government is not required to treat an amendment as a small scale amendment if potential impacts might affect an area greater than the immediate neighborhood.

Adoption Process for Comprehensive Plan Amendments

Small Scale Amendments

The steps for adoption of small scale amendments include: public notification, public hearing before the Planning and Zoning Commission (acting as Local Land Planning Agency) and an adoption hearing before the Board of County Commissioners, as required by Florida Statutes. If the amendment is adopted, a required summary report (including staff findings, minutes of the hearings, adopting ordinance and revised Future Land Use map exhibits) is provided for informational purposes to the State Land Planning Agency and the East Central Florida Regional Planning Council. Small scale amendments are not reviewed for compliance by the State Land Planning Agency.

Any affected party who wants to challenge a small scale amendment may file a petition with the Division of Administrative Hearings. The petition should comply with requirements of Sections 120.569 and 120.57, Florida Statutes. The petition should request a hearing to challenge the compliance of a small scale development amendment with Chapter 163, Florida Statutes, within 30 days following Seminole County's adoption of the amendment. The affected party shall serve a copy of the petition on Seminole County and furnish a copy to the State Land Planning Agency.

Large Scale (Regular) Amendment Adoption

Prior to the changes in state law contained in Chapter 2011-139, Laws of Florida, local governments were limited to biannual 'cycles' of large scale (regular) comprehensive plan amendments.

Changes to state law in 2011 eliminated the twice-yearly maximum number of large scale 'cycles' of amendments and introduced an expedited state review process that can be used



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for the majority of amendments requested by private property owners and certain amendments initiated by local governments (administrative amendments).

The expedited process cannot be used for large scale amendments resulting from an Evaluation and Appraisal, a new plan for a newly incorporated city, a proposed sector plan, a proposed rural stewardship, or an amendment in an area of critical state concern.

The process for the expedited review is briefly summarized below. Information is also available on the County's website, at the County's Planning and Development Division, and on the website of the State Land Planning Agency.

EXPEDITED COMPREHENSIVE PLAN AMENDMENT PROCESS

- P & Z Commission holds a public hearing after required public notice.
- County Commission holds a transmittal public hearing after required public notice.
- County transmits amendments to State Land Planning Agency and state reviewing agencies after transmittal public hearing
- All reviewing agencies send comments to County.
- County has 180 days to hold public hearing to adopt amendments after receiving state comments (otherwise, amendments are considered withdrawn unless extended by agreement with State Land Planning Agency and any affected person commenting)
- If adopted, County transmits amendments back to State Land Planning agency and any reviewing agency that commented.
- State Land Planning Agency notifies County if submittal is complete or incomplete
- If complete, State Land Planning Agency reviews adopted amendment.
- If the amendment is not challenged, it becomes effective 31 days after the State Land Planning Agency notifies the County that the submittal is complete.

ADOPTION PROCESS FOR REMAINING LARGE SCALE AMENDMENTS: THE STATE COORDINATED REVIEW PROCESS

This process is used for large scale amendments resulting from an Evaluation and Appraisal, a new plan for a newly incorporated city, a proposed sector plan, a proposed rural stewardship or an amendment in an area of critical state concern. For Seminole County, this process will most likely be used primarily for amendments resulting from an Evaluation and Appraisal.

The State Coordinated Review Process is summarized on the website of the State Land Planning Agency.

The amendment process is as follows:

- A—The Planning and Zoning Commission, serving as Local Land Planning Agency (LPA), shall hold the initial public hearing after publication of the first advertisement for public hearing pursuant to requirements of State law. The LPA may recommend transmittal, transmittal with amendments or denial of transmittal of an amendment.
- B—The Board of County Commissioners (BCC) shall hold a public hearing for transmittal after publication of advertisement for public hearing pursuant to requirements of State law. If approved for transmittal, the amendment proceeds to the State Land Planning Agency and all required review agencies. If not approved for transmittal, the proposed amendment does not proceed any further through the process. If approved for transmittal, Seminole County may request the issuance of an Objections, Recommendations and Comments (ORC) Report, or request that the review not be



~~conducted, but the decision to issue an ORC Report will be made by the State Land Planning Agency.~~

- ~~C—Review agencies send comments to the State Land Planning Agency within 30 days of a ruling by the State Land Planning Agency that the application is complete.~~
- ~~D—Within 35 days of receiving a complete amendment application, the State Land Planning Agency notifies Seminole County if there will be a full review (ORC). The ORC must be issued within 60 days of receiving the complete amendment application.~~
- ~~E—Within 60 days of receiving an Objections, Recommendations and Comments (ORC) Report (or 120 days if the amendment is based on an Evaluation and Appraisal Report), Seminole County shall adopt, adopt with revisions to address issues in the ORC, or deny an amendment.~~
- ~~F—If the County adopts the amendment, the amendment must be resubmitted to the State Land Planning Agency within 10 days.~~
- ~~G—If the amendment was not reviewed in detail (an ORC report was not issued), or there were no objections in an ORC report that was issued and the County adopts the amendment with no additional changes, the State Land Planning Agency issues its Notice of Intent to find the amendment is compliance with State Law within 20 days of receiving the adopted amendment. An affected party then has 21 days to challenge the finding. An affected party may challenge results in an Administrative Hearing.~~
- ~~H—If the amendment was reviewed in detail and objections were raised (an ORC report was issued) or the County adopts the amendment with changes, the State Land Planning Agency may issue its Notice of Intent (NOI) within 45 days or may issue a 'Not In Compliance' finding. If the State Land Planning Agency issues the NOI, an affected party has 21 days to challenge the finding. If a 'Not In Compliance' finding is issued, an Administrative Hearing is scheduled. Administrative Hearings result in final orders regarding the amendment.~~

~~The steps for adoption of small scale amendments include the required public notification and local public hearings as required by Florida Statutes, followed by submission of a required summary report, staff findings and adopted amendments to the State Land Planning Agency and the East Central Florida Regional Planning Council.~~

~~Small scale amendments are not reviewed for compliance by the State Land Planning Agency. Any affected party may file a petition with the Division of Administrative Hearings pursuant to Sections 120.569 and 120.57, Florida Statutes to request a hearing to challenge the compliance of a small scale development amendment with Chapter 163, Florida Statutes, within 30 days following Seminole County's adoption of the amendment. The affected party shall serve a copy of the petition on Seminole County and furnish a copy to the State Land Planning Agency. An administrative law judge shall hold a hearing in Seminole County not less than 30 days nor more than 60 days following the filing of a petition and the assignment of an administrative law judge. In the proceeding, Seminole County's determination that the small scale development is in compliance is presumed to be correct, and shall be sustained unless it is shown by a preponderance of the evidence that the amendment is not in compliance with the requirements of Chapter 163, Florida Statutes.~~



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LAND DEVELOPMENT CODE UPDATES

~~A Land Development Code is an important implementation tool for a comprehensive plan because it provides the regulations that carry out Plan policies. Major updates to the County's Land Development Code (LDC) may often result from findings of an Evaluation and Appraisal recommendations within the EAR, or amendments to or policies of the Comprehensive Plan itself. The County may also amend the LDC to address new state legislation, special studies to encourage economic development and redevelopment, county participation in regional visions and projects (such as the SunRail commuter rail), or the need to revise provide standards, procedures, or minimum requirements that protect the health, safety, and general welfare of the citizens of Seminole County.~~

~~Several Elements of the Plan recommend changes to the County's Land Development Code to implement the goals, objectives and policies of the Plan. These policies may or may not provide a target completion date.~~

~~During 2011, the County is revising the existing LDC for the following purposes:~~

- ~~A—Creating a user friendly and more easily understandable LDC;~~
- ~~B—Providing a link between regulations of common subject matter within the LDC;~~
- ~~C—Implementing changes recommended by the 2010 amendment of the Seminole County Comprehensive Plan;~~
- ~~D—Implementing changes recommended by the 2006 Evaluation and Appraisal Report; and~~
- ~~E—Modernizing the standards, regulations, and provisions of the LDC~~

~~FUTURE LAND USE MAP AMENDMENTS~~

~~Property owners may initiate Future Land Use Map amendments in accordance with policies and procedures established by the Board of County Commissioners for small and large scale Plan amendments. Part II, Chapter 163, Florida Statutes (FS), establishes procedures and criteria (generally described in Exhibit IMP: Requirements for Plan Amendments and Plan Updates) for each type of amendment. All applicants requesting Future Land Use Map amendments must submit data and analysis demonstrating that the proposed amendment is consistent with the Goals, Objectives and Policies of the Seminole County Comprehensive Plan and will not create an internal inconsistency within the Plan that violates State Law. The minimum standards that must be met by an applicant submitting a proposed amendment to the Future Land Use Map include the following:~~

- ~~A—Documentation supporting the finding that the proposed land use change will not require a change in the adopted level of service for potable water, or that projects contained within the capital budget of a non Seminole County service provider, or the adopted Capital Improvements Element of the Seminole County Comprehensive Plan will ensure that the level of service will not be reduced by the proposed amendment and that service could be available upon demand.~~
- ~~B—Documentation supporting the finding that the proposed land use change will not require a change in the adopted level of service for sanitary sewer service (wastewater), or that projects contained within the capital budget of a non Seminole County service provider, or the adopted Capital Improvements Element of the Seminole County Comprehensive~~



~~Plan will ensure that the level of service will not be reduced by the proposed amendment and that service could be available upon demand.~~

- ~~**CL** Documentation supporting the finding that the proposed land use change will not require a change in the adopted level of service for drainage (stormwater management), or that projects contained within the capital budget of a non-Seminole County service provider, or the adopted Capital Improvements Element of the Seminole County Comprehensive Plan will ensure that the Level of Service will not be reduced by the proposed amendment.~~
- ~~**DK** Documentation supporting the finding that the proposed land use change will not require a change in the adopted level of service for solid waste, or that projects contained within the adopted Capital Improvements Element of the Seminole County Comprehensive Plan will ensure that the Level of Service will not be reduced by the proposed amendment and that service could be available upon demand.~~
- ~~**EL** Documentation supporting the finding that the proposed land use change will not require a change in the adopted level of service for open space and recreation, or that projects contained within adopted Capital Improvements Element of the Seminole County Comprehensive Plan will ensure that the Level of Service will not be reduced by the proposed amendment and that service could be available within one year after issuance of a certificate of occupancy for residential uses.~~
- ~~**FM** Documentation supporting the finding that the proposed land use change, if within the Dense Urban Land Area/Transportation Concurrency Exception Area (DULA/TCEA), will be supportive of the County's quality/level of service guidelines of the Mobility Strategy and will not increase greenhouse gas emissions. For a proposed land use change outside of the DULA/TCEA, a traffic study documenting the anticipated impacts on Levels of Service of the roadway network, public transit, and other mobility modes serving the site of the proposed amendment, and any projects contained within the first five years of the Capital Improvements Element of the Seminole County Comprehensive Plan that would address impacts.~~
- ~~**G** Documentation from the Seminole County School District attesting to the fact that the proposed land use amendment would not create a negative impact on adopted levels of service for school facilities that would serve the amendment, if the amendment involves an increase in residential density.~~
- ~~**HN** For amendments proposed within the Environmentally Sensitive Lands Overlay (ESLO), the Wekiva River Protection Area, the Wekiva Study Area, the Econlockhatchee River Protection Area and the East Rural Area, documentation of how the amendment supports and is consistent with the Goals, Objectives and Policies of these areas.~~

~~The County is not obligated to treat a proposed future land use designation amendment as a small-scale development amendment solely on the basis that it meets the criteria of Section 163.3187, FS regarding amount of acreage involved or proposed density. The County shall process proposed Future Land Use Map amendments in the method it deems most beneficial to the County. The County may also initiate Future Land Use Map amendments (administratively initiated amendments) to the Plan.~~

Administratively Initiated Land Use and Text Amendments

~~Administrative Amendments may occur when there is a need for a land use change based on protection of special areas and natural resources (e.g., the Wekiva River Protection Area), special growth areas (e.g., North I-4 Target Industry Area), at the direction of the Board of County Commissioners, or based on the results of an Evaluation and Appraisal Report. The~~



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~~County may also initiate amendments to reflect updates whenever there are major changes or new information regarding planning legislation, development trends, and facility improvements.~~

~~The County may prepare a special area study from time to time to address a special issue. Special areas studies prepared for the Board since 2001 include the Myrtle Street Area Urban Conservation Village Study (2003) and the Rural Character Plan (2006). Special area studies may or may not generate administratively initiated Future Land Use map amendments.~~

~~If administrative amendments are needed, the County would initiate administrative amendments concurrent with one of the twice yearly large scale amendment cycles using the same procedures for adoption of the Plan.~~

~~FUTURE LAND USE MAP MAINTENANCE~~

~~The County maintains the Official Future Land Use Map in digital format. The boundaries of the various land use designations are contained in the Future Land Use Map. This map is routinely updated as the Board of County Commissioners adopts future land use amendments to the Comprehensive Plan. The Clerk to the Board of County Commissioners keeps the official copy of the Future Land Use Map.~~

~~The Comprehensive Plan includes a full color Future Land Use Map depicting each of the adopted future land use designations, which is updated and republished at least every two years. During the interim, changes in future land use are depicted on the Seminole County Property Appraiser's Internet web page and included with the Plan's Future Land Use Map amendment.~~

INTERPRETATION OF FUTURE LAND USE DESIGNATION BOUNDARIES

Future Land Use designation boundaries are another important implementation tool. In 2003, the County adopted a resolution authorizing conversion of the County's Future Land Use Maps to digitalized format from the historical paper format. The Seminole County Property Appraiser's web site is the recommended source for viewing future land use designations. The Property Appraiser's digitized map is parcel-based, unlike the Future Land Use Map published in the Comprehensive Plan, which is a generalized representation.

Except as otherwise specifically provided, the future land use designation symbol, or name shown within boundaries on the Future Land Use Map, indicates that the future land use designation ~~pertaining to the land use~~ extends through the whole area surrounded by the boundary line. Where uncertainty exists as to the boundaries of any future land use designation depicted on the Future Land Use Map, the Director of the Development Services Department or the Director's designee shall follow the policies contained herein. ing rules shall apply:

- A ~~Where boundaries are indicated as approximately following street and alley lines, land lot lines, or military district lines, such line shall be construed to be the boundary.~~
- B ~~In un-subdivided property or tracts, where a future land use designation boundary divides a tract, the location of such boundaries shall be determined by use of the dimensions appearing on the Future Land Use Map.~~
- C ~~Upon official vacation and/or abandonment of a public road, street or alley, the future land use designation applicable to the property to which it is reverted shall apply to such vacated or abandoned road, street or alley.~~
- D ~~Where boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or to the central lines of alley lines or alleys, or the center~~



Policy TRA 3.4.23 Wekiva Parkway

The County shall continue to support and coordinate with the Florida Department of Transportation, and the Central Florida Expressway Authority Orlando-Orange-County Expressway Authority, and Florida's Turnpike Enterprise regarding construction of the Wekiva Parkway within Seminole County, as authorized by Section 369.317(5), Florida Statutes. The County shall represent the interests of County residents to ~~Coordination efforts will~~ ensure that design and construction of the Parkway and related transportation improvements occur in a cost effective and environmentally sensitive manner that will:

- A Avoid or minimize negative impacts from the Wekiva Parkway to existing neighborhoods, wildlife corridors, natural areas, existing vegetation, parks, trails, lakes, most effective recharge areas, karst features, sensitive natural habitats, and public lands; and
- B As a part of representing the interests of County residents, Seminole County shall endeavor to ensure ~~Provide safe~~ access to properties adjacent to the Wekiva Parkway through appropriate frontage roads or other measures integrated into the Parkway design to ensure safe and efficient traffic flow. ~~;~~ and
- ~~C Ensure development of the Wekiva Parkway is consistent with the applicable requirements and provisions of the State Road 46 Scenic Corridor Overlay District and the State Road 46 Gateway Corridor Overlay Standards Zoning Classification.~~

Policy TRA 3.4.24 Wekiva Parkway Land Development Regulations

~~Subsequent to approval of the alignment of the Wekiva Parkway by the Seminole County Expressway Authority, the Florida Department of Transportation, and the Florida's Turnpike Enterprise, the County shall enact land development regulations as necessary to implement Comprehensive Plan Objective FLU 13 Protection of the Natural Resources of the Wekiva Study Area and its policies regarding the protection of recharge areas, karst features, sensitive natural habitat, and private property rights during design and construction of the Wekiva Parkway within Seminole County.~~

Policy TRA 3.4.25 Coordination on Regionally Significant Transportation Corridors.

The County shall coordinate with all appropriate local, regional, State, and federal agencies, particularly the municipalities in Seminole County, the Counties of Orange, Lake, and Volusia, Florida Department of Transportation, and the Central Florida Regional Transportation Authority (~~aka~~ LYNX) regarding the location, classification, planning, and construction of needed transportation system improvements within the County. The County shall fully evaluate newly proposed regionally significant transportation projects not identified in the Comprehensive Plan to ensure that they support the vision of the County with regard to mobility, land use, environmental protection, and other provisions of the Comprehensive Plan.

Policy TRA 3.4.26 Central Florida Commuter Rail (SunRail)

The County shall continue to support the Florida Department of Transportation in its implementation of the SunRail ~~Central Florida~~



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~~Commuter Rail~~ system in Seminole County along the ~~CSX~~ rail corridor. This support shall occur through the implementation of transit-supportive policies in the Transportation and Future Land Use Elements as well as financial support for the operation of SunRail and the LYNX bus routes serving the stations.

Policy TRA 3.4.26.1 Development of Station Area Plans

Seminole County shall continue to coordinate with the cities of Longwood, Lake Mary, Sanford, and Altamonte Springs ~~in the to develop~~ ment Station Area Plans to guide the implementation of transit-supportive land uses surrounding the SunRail proposed rail stations. In addition, with the use of a grant from the US Department of Housing and Urban Development (HUD) administered by the East Central Florida Regional Planning Council, the County shall work with the East Altamonte neighborhood and the City of Sanford to develop plans for areas surrounding the Altamonte Springs and Sanford SunRail stations. These Station Area Plans will serve as the basis for potential amendments to the County Comprehensive Plan and Land Development Code, which will be coordinated with amendments to the City of Sanford Comprehensive Plan and Land Development Code. The Station Plans will address improved and safe access to the SunRail station from the surrounding areas to enable them to benefit from proximity to commuter rail, as well as identifying potential the scale, design and types of land uses desired around the stations (including mixed use development and employment based land uses), and may identify as well as specific transportation and development implementation actions related to key parcels.

Policy TRA 3.4.26.2 Affordable and Workforce Housing

Seminole County shall coordinate with the cities of Longwood, Lake Mary, Sanford, and Altamonte Springs to explore options for providing affordable and/or workforce housing options within walking distance of commuter rail station areas, considering inclusion of the findings of the HUD-financed Station Area Plans.

Policy TRA 3.4.26.3 Transportation Demand Management for Station Area Land Uses

For each of the ~~C~~ommuter ~~R~~ail ~~S~~tation ~~A~~reas, Seminole County shall evaluate continue to coordinate with the cities of Longwood, Lake Mary, Sanford, and Altamonte Springs ~~to ensure~~ the potential implementation of demand management strategies to increase transit use and reduce the vehicular impacts of new development. Findings of the HUD-financed studies shall be considered during this evaluation.

Policy TRA 3.4.26.4 Revisions to Comprehensive Plan and Land Development Code

Seminole County shall, upon completion of the HUD-financed Station Area Plans, and in conjunction with the cities of ~~Longwood, Lake Mary, Sanford, and Altamonte Springs,~~ identify any needed amendments to the County and City Comprehensive Plans and amend its Land Development Codes to accommodate the implementation of transit-supportive development around the station areas in accordance with Station Area Plans. Seminole



County shall seek to coordinate these amendments where possible with those of the City of Sanford.

Policy TRA 3.4.26.5 Context Sensitive Street Design

Seminole County shall, in conjunction with the Florida Department of Transportation and the cities of Longwood, Lake Mary, Sanford, and Altamonte Springs, develop and implement context-sensitive street improvements within station areas that prioritize pedestrian movement and safety.

Policy TRA 3.4.26.6 Coordination with Fixed Route Service

Seminole County shall continue to support the viability of the Central Florida Commuter Rail (SunRail) by supporting prioritizing transit service improvements within the County that provide connections to SunRail, this commuter rail service. The County shall coordinate with the Central Florida Regional Transportation Authority (~~aka~~-LYNX) and local governments with respect to this issue.

Policy TRA 3.4.26.7 Pedestrian and Bicycle Access to Station Areas

Seminole County shall continue to support the viability of the Central Florida Commuter Rail (SunRail) by implementing improvements to pedestrian and bicycle systems that improve access to commuter rail service and development around within the station areas.

Policy TRA 3.4.26.8 Support of Expanded Rail Transit Service

~~Should future expansions to rail transit service be considered for the CSX corridor,~~ Seminole County shall support the Metropolitan Planning Organization (MetroPlan) in its study of the potential for expansion of any multimodal transportation alternatives that may be realized through exercising the Aloma Spur option to extend service to the Orlando Sanford International Airport and to areas beyond the Airport, Florida Department of Transportation in these efforts, consistent with the stated mobility goals of the County, to provide meaningful non-auto travel choices for County residents and workers. ~~Seminole County may coordinate with the Florida Department of Transportation, the Orlando Sanford International Airport, and the City of Sanford to evaluate the potential benefits of exercising the Aloma Spur option in providing SunRail service to the Orlando Sanford International Airport.~~